

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARK STOYAS and NEW
ENGLAND TEAMSTERS &
TRUCKING INDUSTRY PENSION
FUND,

Plaintiffs,

and

AUTOMOTIVE INDUSTRIES
PENSION TRUST FUND, Individually
and on Behalf of All Others Similarly
Situating,

Lead Plaintiff,

vs.

TOSHIBA CORPORATION,

Defendant.

Case No. 2:15-cv-04194-DDP(JCx)

CLASS ACTION

[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION

DATE: August 2, 2021

TIME: 10:00 a.m.

CTRM: 9C

COURT: Hon. Dean D. Pregerson

1 Having considered Lead Plaintiff Automotive Industries Pension Trust Fund's
2 and named plaintiff New England Teamsters & Trucking Industry Pension Fund's
3 (collectively, "Plaintiffs") Motion for Class Certification (the "Motion") and good
4 cause appearing therefor, the Court ORDERS as follows:

5 1. The Motion is GRANTED;

6 2. The following Class is certified pursuant to Fed. R. Civ. P. 23(a) and
7 23(b)(3):

8 (i) all persons who purchased securities listed under the ticker symbols
9 TOSYY or TOSBF between May 8, 2012 and November 12, 2015,
10 inclusive (the "Class Period") using the facilities of the OTC Market;
and (ii) all citizens and residents of the United States who purchased
shares of Toshiba 6502 common stock during the Class Period.

11 Excluded from the Class are defendant Toshiba Corporation
12 ("Toshiba"), all subsidiaries, business units, and consolidated entities
13 of Toshiba, and any person who was an officer or director of Toshiba
14 or any of its subsidiaries, business units, or consolidated entities at any
time from 2008 to 2019 (collectively, "Excluded Person(s)"). Also
excluded from the Class are the members of the immediate families of
any Excluded Person, as defined in 17 C.F.R. §229.404, Instructions
(1)(a)(iii) and (1)(b)(ii).

15 3. Plaintiffs are each appointed as Class Representatives; and

16 4. Pursuant to Fed. R. Civ. P. 23(g), Robbins Geller Rudman & Dowd
17 LLP is approved as Class Counsel.

18 IT IS SO ORDERED.

19 DATED: _____

20 THE HONORABLE DEAN D. PREGERSON
21 UNITED STATES DISTRICT JUDGE
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